

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Mary Julia Norberg, individually and as Special
Administrator for the estate of Earl R. Norberg

Plaintiff,

v.

A. B. B., INC., a corporation; A. B. B. LUMMUS GLOBAL
CONSTRUCTION COMPANY, a corporation; A. C. AND
S., INC., a corporation; AIRCO/THE BOC GROUP; a
corporation; BECHTEL CONSTRUCTION COMPANY, a
corporation; THE FLINTKOTE COMPANY, a corporation;
GARLOCK INC., a corporation; THE GENERAL
ELECTRIC COMPANY, a corporation; METROPOLITAN
LIFE INSURANCE COMPANY, a corporation; MOBILE
OIL CORP., a corporation; RAPID AMERICAN CORP., a
corporation; TEXACO INC., a corporation; VIACOM INC.,
f/k/a WESTINGHOUSE ELECTRIC CORPORATION, a
corporation,

Defendants.

CASE NO.

02C 294 8

JUDGE GETTLEMAN

In Re Asbestos Litigation

MAGISTRATE JUDGE KEYS

COMPLAINT

DOCKETED

APR 24 2002

FILED-ED4
APR 24 2002
U.S. DISTRICT COURT

COMPLAINT

Now comes the plaintiff, Mary Julia Norberg, hereinafter "Plaintiff," and as special administrator for the estate of Earl R. Norberg, hereinafter "Plaintiff's Decedent," by and through his attorneys, CASCINO VAUGHAN LAW OFFICES, LTD., and complains of A. B. B., INC., a corporation; A. B. B. LUMMUS GLOBAL CONSTRUCTION COMPANY, a corporation; A. C. AND S., INC., a corporation; AIRCO/THE BOC GROUP; a corporation; BECHTEL CONSTRUCTION COMPANY, a corporation; THE FLINTKOTE COMPANY, a corporation; GARLOCK INC., a corporation; THE GENERAL ELECTRIC COMPANY, a corporation; METROPOLITAN LIFE INSURANCE COMPANY, a corporation; MOBILE OIL CORP., a corporation; RAPID AMERICAN CORP., a corporation; TEXACO INC., a corporation; VIACOM INC., f/k/a WESTINGHOUSE ELECTRIC CORPORATION, a

1-1

corporation, hereinafter "Defendants", as follows:

JURISDICTION

1. Plaintiff Mary Julia Norberg is an adult citizen of Arizona. Plaintiff's address is 2900 W Superstition #3, Apache Junction, AZ 85220. Plaintiff's Decedent worked around asbestos at various job sites in the state of Illinois during his career as a Ironworker.
2. Defendants are all corporations, none of which is incorporated in or has its principal place of business in the State of Illinois, and at all times relevant to the allegations contained herein were engaged in the business of designing, manufacturing and selling asbestos and/or asbestos-containing products and/or asbestos-insulated equipment, hereinafter referred to as "asbestos products." Please refer to the attached Exhibit A for the state of incorporation and principal place of business of each defendant.
3. Jurisdiction is based on diversity of citizenship of the parties hereto under Title 28, United States Code, §1332.
4. The amount in controversy exceeds the sum of Seventy-Five Thousand Dollars (\$75,000), exclusive of interest and costs.
5. Venue is proper pursuant to Title 28, United States Code, §1391.

GENERAL ALLEGATIONS

6. Plaintiff's Decedent during the course of his employment at various job sites, including those listed on the attached Exhibit B, was exposed to asbestos dust or fibers emanating from the asbestos products and/or asbestos insulated equipment which was sold, manufactured, distributed, packaged, installed or otherwise placed into commerce by defendants.
7. Plaintiff's Decedent was ignorant of the dangerous nature of asbestos and of the nature of the risks incurred by workers working with or near asbestos products.

8. Plaintiff's Decedent became aware of the asbestos-related condition and that said condition was caused by Defendants' wrongful conduct within the statute of limitations before the filing of this action.
9. As a direct and proximate result of the conduct of Defendants, Plaintiff's Decedent developed and was diagnosed as having Lung Cancer. See medical report at Exhibit C, attached hereto and incorporated herein by this reference.
10. Plaintiff's Decedent suffered great pain, physical impairment, mental pain and anguish, losses to his personal property and possessions, and fear of death. Because of this the Plaintiff is liable for large sums of money.

PRODUCTS LIABILITY - NEGLIGENCE

11. It was reasonably foreseeable by Defendants that Plaintiff's Decedent and other workers would be working with or in the proximity of Defendants' asbestos products.
12. Defendants had a duty to exercise reasonable care for the safety of Plaintiff's Decedent and others who worked with or were exposed to Defendants' asbestos products.
13. Prior to, during, and after the time Defendants manufactured, produced, processed, packaged, designed, distributed, and/or shipped the asbestos products and/or asbestos insulated equipment to which Plaintiff's Decedent was exposed, Defendants knew, or in the exercise of ordinary or reasonable care ought to have known, that exposure to their asbestos products caused disease and/or death and that Plaintiff's Decedent and/or others did not know that asbestos products were dangerous or harmful.
14. Notwithstanding the aforementioned duty, Defendants, and each of them, were negligent by one or more of the following acts or omissions in that they:
 - a. Failed to adequately warn Plaintiff's Decedent and/or others of the health hazards concerned with exposure to asbestos;
 - b. Failed to recommend and/or provide proper protective apparel, equipment, appliances, and/or

- packaging to ensure Plaintiff's Decedent's and/or other's safety;
- c. Failed to warn Plaintiff's Decedent and/or others of the danger and harm of the asbestos after the products or equipment were installed at the premises;
 - d. Failed to investigate or test for the health effects of asbestos prior to distribution and sale;
 - e. Failed to instruct Plaintiff's Decedent, his employers and/or others in the use of precautionary measures relating to asbestos-containing products and/or asbestos-insulated equipment;
and/or
 - f. Manufactured, supplied, or installed unsafe asbestos-containing products or asbestos-insulated equipment.
15. As a direct and proximate result of these negligent acts and/or omissions of Defendants, Plaintiff's Decedent endured suffering and injuries set forth in paragraph 9.

DEFENDANT SPECIFIC COUNTS

A. B. B., INC.

COUNT 1 - PRODUCTS LIABILITY - NEGLIGENCE

16. Plaintiff reasserts and incorporates herein by this reference the above claims (paragraphs 1 - 15) based on negligence with respect to this defendant.

COUNT 2 - WRONGFUL DEATH

17. Defendants actions as described in the preceding paragraphs (1 - 15) caused the wrongful death of Earl R. Norberg and damages have been suffered by Plaintiff.

COUNT 3 - RECOVERY OF FUNERAL AND BURIAL EXPENSES

18. Defendants actions as described in the preceding paragraphs (1 - 15) have resulted in Plaintiff Mary Julia Norberg and the estate of Earl R. Norberg incurring funeral and burial expenses from the

death of Plaintiff's Decedent.

COUNT 4 - LOSS OF CONSORTIUM

19. Plaintiff brings this claim based upon underlying theories of negligence, as deemed applicable to any of the defendants, and restates and realleges such paragraphs as are stated for all those claims (paragraphs 1 - 15, "Wrongful Death" count for this defendant).
20. As a direct and proximate result of the one or more of the aforesaid wrongful acts or omissions of the defendants, Plaintiff:
 - a. Has been deprived of the services, companionship, society and relationship of Plaintiff's Decedent since his injury.
 - b. Has been hindered and prevented from transacting and attending to her usual business and personal affairs.

A. B. B. LUMMUS GLOBAL CONSTRUCTION COMPANY

COUNT 5 - PRODUCTS LIABILITY - NEGLIGENCE

21. Plaintiff reasserts and incorporates herein by this reference the above claims (paragraphs 1 - 15) based on negligence with respect to this defendant.

COUNT 6 - WRONGFUL DEATH

22. Defendants actions as described in the preceding paragraphs (1 - 15) caused the wrongful death of Earl R. Norberg and damages have been suffered by Plaintiff.

COUNT 7 - RECOVERY OF FUNERAL AND BURIAL EXPENSES

23. Defendants actions as described in the preceding paragraphs (1 - 15) have resulted in Plaintiff Mary Julia Norberg and the estate of Earl R. Norberg incurring funeral and burial expenses from the death of Plaintiff's Decedent.

COUNT 8 - LOSS OF CONSORTIUM

24. Plaintiff brings this claim based upon underlying theories of negligence, as deemed applicable to

any of the defendants, and restates and realleges such paragraphs as are stated for all those claims (paragraphs 1 - 15, "Wrongful Death" count for this defendant).

25. As a direct and proximate result of the one or more of the aforesaid wrongful acts or omissions of the defendants, Plaintiff:
- a. Has been deprived of the services, companionship, society and relationship of Plaintiff's Decedent since his injury.
 - b. Has been hindered and prevented from transacting and attending to her usual business and personal affairs.

A. C. AND S., INC.

COUNT 9 - PRODUCTS LIABILITY - NEGLIGENCE

26. Plaintiff reasserts and incorporates herein by this reference the above claims (paragraphs 1 - 15) based on negligence with respect to this defendant.

COUNT 10 - WRONGFUL DEATH

27. Defendants actions as described in the preceding paragraphs (1 - 15) caused the wrongful death of Earl R. Norberg and damages have been suffered by Plaintiff.

COUNT 11 - RECOVERY OF FUNERAL AND BURIAL EXPENSES

28. Defendants actions as described in the preceding paragraphs (1 - 15) have resulted in Plaintiff Mary Julia Norberg and the estate of Earl R. Norberg incurring funeral and burial expenses from the death of Plaintiff's Decedent.

COUNT 12 - LOSS OF CONSORTIUM

29. Plaintiff brings this claim based upon underlying theories of negligence, as deemed applicable to any of the defendants, and restates and realleges such paragraphs as are stated for all those claims (paragraphs 1 - 15, "Wrongful Death" count for this defendant).
30. As a direct and proximate result of the one or more of the aforesaid wrongful acts or omissions of

the defendants, Plaintiff:

- a. Has been deprived of the services, companionship, society and relationship of Plaintiff's Decedent since his injury.
- b. Has been hindered and prevented from transacting and attending to her usual business and personal affairs.

AIRCO/THE BOC GROUP

COUNT 13 - PRODUCTS LIABILITY - NEGLIGENCE

31. Plaintiff reasserts and incorporates herein by this reference the above claims (paragraphs 1 - 15) based on negligence with respect to this defendant.

COUNT 14 - WRONGFUL DEATH

32. Defendants actions as described in the preceding paragraphs (1 - 15) caused the wrongful death of Earl R. Norberg and damages have been suffered by Plaintiff.

COUNT 15 - RECOVERY OF FUNERAL AND BURIAL EXPENSES

33. Defendants actions as described in the preceding paragraphs (1 - 15) have resulted in Plaintiff Mary Julia Norberg and the estate of Earl R. Norberg incurring funeral and burial expenses from the death of Plaintiff's Decedent.

COUNT 16 - LOSS OF CONSORTIUM

34. Plaintiff brings this claim based upon underlying theories of negligence, as deemed applicable to any of the defendants, and restates and realleges such paragraphs as are stated for all those claims (paragraphs 1 - 15, "Wrongful Death" count for this defendant).
35. As a direct and proximate result of the one or more of the aforesaid wrongful acts or omissions of the defendants, Plaintiff:
 - a. Has been deprived of the services, companionship, society and relationship of Plaintiff's Decedent since his injury.

- b. Has been hindered and prevented from transacting and attending to her usual business and personal affairs.

BECHTEL CONSTRUCTION COMPANY

COUNT 17 - PRODUCTS LIABILITY - NEGLIGENCE

36. Plaintiff reasserts and incorporates herein by this reference the above claims (paragraphs 1 - 15) based on negligence with respect to this defendant.

COUNT 18 - WRONGFUL DEATH

37. Defendants actions as described in the preceding paragraphs (1 - 15) caused the wrongful death of Earl R. Norberg and damages have been suffered by Plaintiff.

COUNT 19 - RECOVERY OF FUNERAL AND BURIAL EXPENSES

38. Defendants actions as described in the preceding paragraphs (1 - 15) have resulted in Plaintiff Mary Julia Norberg and the estate of Earl R. Norberg incurring funeral and burial expenses from the death of Plaintiff's Decedent.

COUNT 20 - LOSS OF CONSORTIUM

39. Plaintiff brings this claim based upon underlying theories of negligence, as deemed applicable to any of the defendants, and restates and realleges such paragraphs as are stated for all those claims (paragraphs 1 - 15, "Wrongful Death" count for this defendant).
40. As a direct and proximate result of the one or more of the aforesaid wrongful acts or omissions of the defendants, Plaintiff:
- a. Has been deprived of the services, companionship, society and relationship of Plaintiff's Decedent since his injury.
 - b. Has been hindered and prevented from transacting and attending to her usual business and personal affairs.

THE FLINTKOTE COMPANY

COUNT 21 - PRODUCTS LIABILITY - NEGLIGENCE

41. Plaintiff reasserts and incorporates herein by this reference the above claims (paragraphs 1 - 15) based on negligence with respect to this defendant.

COUNT 22 - WRONGFUL DEATH

42. Defendants actions as described in the preceding paragraphs (1 - 15) caused the wrongful death of Earl R. Norberg and damages have been suffered by Plaintiff.

COUNT 23 - RECOVERY OF FUNERAL AND BURIAL EXPENSES

43. Defendants actions as described in the preceding paragraphs (1 - 15) have resulted in Plaintiff Mary Julia Norberg and the estate of Earl R. Norberg incurring funeral and burial expenses from the death of Plaintiff's Decedent.

COUNT 24 - LOSS OF CONSORTIUM

44. Plaintiff brings this claim based upon underlying theories of negligence, as deemed applicable to any of the defendants, and restates and realleges such paragraphs as are stated for all those claims (paragraphs 1 - 15, "Wrongful Death" count for this defendant).
45. As a direct and proximate result of the one or more of the aforesaid wrongful acts or omissions of the defendants, Plaintiff:
- a. Has been deprived of the services, companionship, society and relationship of Plaintiff's Decedent since his injury.
 - b. Has been hindered and prevented from transacting and attending to her usual business and personal affairs.

GARLOCK INC.

COUNT 25 - PRODUCTS LIABILITY - NEGLIGENCE

46. Plaintiff reasserts and incorporates herein by this reference the above claims (paragraphs 1 - 15)

based on negligence with respect to this defendant.

COUNT 26 - WRONGFUL DEATH

47. Defendants actions as described in the preceding paragraphs (1 - 15) caused the wrongful death of Earl R. Norberg and damages have been suffered by Plaintiff.

COUNT 27 - RECOVERY OF FUNERAL AND BURIAL EXPENSES

48. Defendants actions as described in the preceding paragraphs (1 - 15) have resulted in Plaintiff Mary Julia Norberg and the estate of Earl R. Norberg incurring funeral and burial expenses from the death of Plaintiff's Decedent.

COUNT 28 - LOSS OF CONSORTIUM

49. Plaintiff brings this claim based upon underlying theories of negligence, as deemed applicable to any of the defendants, and restates and realleges such paragraphs as are stated for all those claims (paragraphs 1 - 15, "Wrongful Death" count for this defendant).
50. As a direct and proximate result of the one or more of the aforesaid wrongful acts or omissions of the defendants, Plaintiff:
- a. Has been deprived of the services, companionship, society and relationship of Plaintiff's Decedent since his injury.
 - b. Has been hindered and prevented from transacting and attending to her usual business and personal affairs.

THE GENERAL ELECTRIC COMPANY

COUNT 29 - PRODUCTS LIABILITY - NEGLIGENCE

51. Plaintiff reasserts and incorporates herein by this reference the above claims (paragraphs 1 - 15) based on negligence with respect to this defendant.

COUNT 30 - WRONGFUL DEATH

52. Defendants actions as described in the preceding paragraphs (1 - 15) caused the wrongful death of

Earl R. Norberg and damages have been suffered by Plaintiff.

COUNT 31 - RECOVERY OF FUNERAL AND BURIAL EXPENSES

53. Defendants actions as described in the preceding paragraphs (1 - 15) have resulted in Plaintiff Mary Julia Norberg and the estate of Earl R. Norberg incurring funeral and burial expenses from the death of Plaintiff's Decedent.

COUNT 32 - LOSS OF CONSORTIUM

54. Plaintiff brings this claim based upon underlying theories of negligence, as deemed applicable to any of the defendants, and restates and realleges such paragraphs as are stated for all those claims (paragraphs 1 - 15, "Wrongful Death" count for this defendant).
55. As a direct and proximate result of the one or more of the aforesaid wrongful acts or omissions of the defendants, Plaintiff:
- a. Has been deprived of the services, companionship, society and relationship of Plaintiff's Decedent since his injury.
 - b. Has been hindered and prevented from transacting and attending to her usual business and personal affairs.

METROPOLITAN LIFE INSURANCE COMPANY

COUNT 33 - PRODUCTS LIABILITY - NEGLIGENCE

56. Plaintiff reasserts and incorporates herein by this reference the above claims (paragraphs 1 - 15) based on negligence with respect to this defendant.

COUNT 34 - CONSPIRACY

57. This claim is brought against defendant METROPOLITAN LIFE INSURANCE COMPANY for civil conspiracy and Plaintiff incorporates allegations 1 - 15 above.
58. Said defendant and co-conspirators had actual knowledge or through the exercise of ordinary care should have known as early as the 1930's that exposure to asbestos caused serious disease and

death; that the risks and health hazards of asbestos were not widely known; and that the general public in the United States was ignorant of the hazardous properties of asbestos.

59. Defendant METROPOLITAN LIFE INSURANCE COMPANY and other unnamed co-conspirators knowingly and willfully combined, agreed, and conspired with each other for the purpose of accomplishing one or more of the following unlawful purposes:
 - a. Suppressing information about the health hazards of asbestos, including medical and scientific data, from those persons who would be exposed to the asbestos from the products made and sold by the conspirators,
 - b. Affirmatively asserting, in a manner not warranted by the information possessed by the conspirators, claims that the conspirators knew were false, namely, that it was safe to work with and in close proximity to asbestos.
60. The conspirators, including METROPOLITAN LIFE INSURANCE COMPANY, in communications between each other and through participation in trade organizations and committees of such trade organizations, ratified and adopted the unlawful purposes and conduct of the conspiracy.
61. Defendant METROPOLITAN LIFE INSURANCE COMPANY and one or more of the conspirators performed the following tortious acts in furtherance of the conspiracy:
 - a. Manufactured, sold, packaged or installed unreasonably dangerous asbestos products to which the Plaintiff's Decedent was exposed,
 - b. Failed to warn about health hazards of asbestos, failed to investigate health hazards of asbestos or failed to instruct about precautionary measures required for protection;
62. The agreement between METROPOLITAN LIFE INSURANCE COMPANY and the conspirators and acts done in furtherance of the agreement were the proximate causes of the injuries set forth above in paragraph 9.

MOBILE OIL CORP.

COUNT 35 - PRODUCTS LIABILITY - NEGLIGENCE

63. Plaintiff reasserts and incorporates herein by this reference the above claims (paragraphs 1 - 15) based on negligence with respect to this defendant.

COUNT 36 - WRONGFUL DEATH

64. Defendants actions as described in the preceding paragraphs (1 - 15) caused the wrongful death of Earl R. Norberg and damages have been suffered by Plaintiff.

COUNT 37 - RECOVERY OF FUNERAL AND BURIAL EXPENSES

65. Defendants actions as described in the preceding paragraphs (1 - 15) have resulted in Plaintiff Mary Julia Norberg and the estate of Earl R. Norberg incurring funeral and burial expenses from the death of Plaintiff's Decedent.

COUNT 38 - LOSS OF CONSORTIUM

66. Plaintiff brings this claim based upon underlying theories of negligence, as deemed applicable to any of the defendants, and restates and realleges such paragraphs as are stated for all those claims (paragraphs 1 - 15, "Wrongful Death" count for this defendant).
67. As a direct and proximate result of the one or more of the aforesaid wrongful acts or omissions of the defendants, Plaintiff:
- a. Has been deprived of the services, companionship, society and relationship of Plaintiff's Decedent since his injury.
 - b. Has been hindered and prevented from transacting and attending to her usual business and personal affairs.

RAPID AMERICAN CORP.

COUNT 39 - PRODUCTS LIABILITY - NEGLIGENCE

68. Plaintiff reasserts and incorporates herein by this reference the above claims (paragraphs 1 - 15)

based on negligence with respect to this defendant.

COUNT 40 - WRONGFUL DEATH

69. Defendants actions as described in the preceding paragraphs (1 - 15) caused the wrongful death of Earl R. Norberg and damages have been suffered by Plaintiff.

COUNT 41 - RECOVERY OF FUNERAL AND BURIAL EXPENSES

70. Defendants actions as described in the preceding paragraphs (1 - 15) have resulted in Plaintiff Mary Julia Norberg and the estate of Earl R. Norberg incurring funeral and burial expenses from the death of Plaintiff's Decedent.

COUNT 42 - LOSS OF CONSORTIUM

71. Plaintiff brings this claim based upon underlying theories of negligence, as deemed applicable to any of the defendants, and restates and realleges such paragraphs as are stated for all those claims (paragraphs 1 - 15, "Wrongful Death" count for this defendant).
72. As a direct and proximate result of the one or more of the aforesaid wrongful acts or omissions of the defendants, Plaintiff:
- a. Has been deprived of the services, companionship, society and relationship of Plaintiff's Decedent since his injury.
 - b. Has been hindered and prevented from transacting and attending to her usual business and personal affairs.

TEXACO INC.

COUNT 43 - PRODUCTS LIABILITY - NEGLIGENCE

73. Plaintiff reasserts and incorporates herein by this reference the above claims (paragraphs 1 - 15) based on negligence with respect to this defendant.

COUNT 44 - WRONGFUL DEATH

74. Defendants actions as described in the preceding paragraphs (1 - 15) caused the wrongful death of

Earl R. Norberg and damages have been suffered by Plaintiff.

COUNT 45 - RECOVERY OF FUNERAL AND BURIAL EXPENSES

75. Defendants actions as described in the preceding paragraphs (1 - 15) have resulted in Plaintiff Mary Julia Norberg and the estate of Earl R. Norberg incurring funeral and burial expenses from the death of Plaintiff's Decedent.

COUNT 46 - LOSS OF CONSORTIUM

76. Plaintiff brings this claim based upon underlying theories of negligence, as deemed applicable to any of the defendants, and restates and realleges such paragraphs as are stated for all those claims (paragraphs 1 - 15, "Wrongful Death" count for this defendant).
77. As a direct and proximate result of the one or more of the aforesaid wrongful acts or omissions of the defendants, Plaintiff:
- a. Has been deprived of the services, companionship, society and relationship of Plaintiff's Decedent since his injury.
 - b. Has been hindered and prevented from transacting and attending to her usual business and personal affairs.

VIACOM INC.

COUNT 47 - PRODUCTS LIABILITY - NEGLIGENCE

78. Plaintiff reasserts and incorporates herein by this reference the above claims (paragraphs 1 - 15) based on negligence with respect to this defendant.

COUNT 48 - WRONGFUL DEATH

79. Defendants actions as described in the preceding paragraphs (1 - 15) caused the wrongful death of Earl R. Norberg and damages have been suffered by Plaintiff.

COUNT 49 - RECOVERY OF FUNERAL AND BURIAL EXPENSES

80. Defendants actions as described in the preceding paragraphs (1 - 15) have resulted in Plaintiff Mary

Julia Norberg and the estate of Earl R. Norberg incurring funeral and burial expenses from the death of Plaintiff's Decedent.

COUNT 50 - LOSS OF CONSORTIUM

81. Plaintiff brings this claim based upon underlying theories of negligence, as deemed applicable to any of the defendants, and restates and realleges such paragraphs as are stated for all those claims (paragraphs 1 - 15, "Wrongful Death" count for this defendant).
82. As a direct and proximate result of the one or more of the aforesaid wrongful acts or omissions of the defendants, Plaintiff:
 - a. Has been deprived of the services, companionship, society and relationship of Plaintiff's Decedent since his injury.
 - b. Has been hindered and prevented from transacting and attending to her usual business and personal affairs.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs prays for relief as follows:

1. Judgement against Defendants, jointly and severally, for compensatory and general damages in excess of \$75,000 plus costs.
2. Such further legal and equitable relief as the Court orders to do justice in this case; costs and disbursements of this action.

JURY TRIAL DEMAND

Plaintiff hereby demands a trial by a jury of 6.

Dated this 18th day of April, 2002.

A handwritten signature in black ink, appearing to read "Michael P. Cascino", written over a horizontal line.

One of the Plaintiff's Attorneys

MICHAEL P. CASCINO
CASCINO VAUGHAN LAW OFFICES, LTD.
220 South Ashland Avenue
Chicago, Illinois 60607
312-944-0600
312-944-1870 fax

Exhibit A

Defendants' Incorporation States and Principal States of Business

DEFENDANT	STATE OF INCORPORATION	PRIMARY STATE OF BUSINESS
A. B. B., INC.	Delaware	Connecticut
A.C. and S., Inc.	Delaware	Pennsylvania
Airco/The BOC Group	Delaware	New Jersey
A.B.B. Lummus Global Construction	Foreign	Foreign
Bechtel Construction Company	Nevada	California
Flintkote Company	Delaware	California
Garlock, Inc.	Ohio	Ohio
General Electric Company	Delaware	Connecticut
Metropolitan Life Insurance Company	New York	New York
Mobile Oil Corp.	New York	Virginia
Rapid American Corp.	Delaware	Pennsylvania
Texaco Inc.	Delaware	California
Viacom, Inc.	Delaware	New York

Exhibit B

Work History of Earl Norberg

Last	First	FirstYrld	LastYrld	SiteLocation	SiteCity	SiteSt
Norberg	Earl	1950	1964	Commonwealth Edison (Station 18)	Joliet	IL
Norberg	Earl	1950	1964	Dresden Nuclear Power Station	Morris	IL
Norberg	Earl	1950	1964	Globe Oil & Refinery	Lemont	IL
Norberg	Earl	1950	1964	Joliet 9 Power Station	Joliet	IL
Norberg	Earl	1960	1970	Texaco Refining & Marketing	Lockport	IL
Norberg	Earl	1967	1970	Mobil Oil Refinery	Joliet	IL

PLAINTIFF'S
EXHIBIT

ALVIN J. SCHONFELD, D.O., F.C.C.P., F.A.A.D.E.P.

Diplomate—American Boards of Internal Medicine and Pulmonary Disease
438 West St. James Place, Chicago, IL 60614 • (888) 691-8521

December 17, 2001

Michael P. Cascino, Esq.
Allen D. Vaughan, Esq.
CASCINO VAUGHAN LAW OFFICES, LTD.
403 W North Ave
Chicago, IL 60610

RE:	Earl Norberg
Social Security No.:	349-12-3028
Date of Birth:	June 30, 1924
Date of Death	April 16, 2000

Dear Messrs. Cascino & Vaughan:

This is a physician's report pertaining to your above-referenced client.

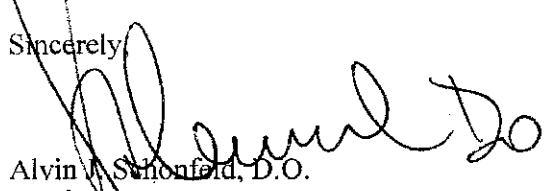
Earl Norberg was a 76-year-old male residing in Mesa, Arizona at the time of his death. His principal reported employment from 1941 to 1979 was as a iron worker. During that period, he reportedly had a history of extensive exposure to asbestos dust. Mr. Norberg also reportedly was a cigarette smoker from 1945 to 1979.

The attached pathology report dated March 28, 2000 by Mr. Jeffrey L. Phet, MD indicates that your client has a history lung cancer.

In my opinion, given your client's history of extensive exposure to asbestos and asbestos dust commencing thirty four years prior to the reported findings and given the medically well-established relationship between asbestos exposure and those findings, there is a causal connection between your client's asbestos exposure and the lung cancer from which he suffers.

Further laboratory and clinical testing may reveal that Mr. Norberg suffers significant disability from a more severe asbestos-related condition than indicated by the observations stated above.

Sincerely,


Alvin J. Schonfeld, D.O.
attachment
AJS/sjl

Earl R. Norberg, individually v. A. B. B., INC., et al.

Distribution List:

A. B. B., INC.
C.T. CORPORATION
ONE COMMERCIAL PLAZA
HARTFORD, CT 06103

A. C. AND S. INC
C/O C T CORPORATION SYSTEM
208 S. LASALLE STREET
CHICAGO IL 60604

A.B.B. LUMMUS GLOBAL CONSTRUCTION CO.
C. T. CORPORATION SYSTEM
314 E. THAYER AVE., PO BOX 400
BISMARCK, ND 58502

AIRCO/THE BOC GROUP
c/o CT CORPORATION SYSTEMS
208 S. LASALLE STREET
CHICAGO, IL 60604

BECHTEL CONSTRUCTION COMPANY
c/o CT CORPORATION SYSTEMS
208 S. LASALLE STREET
CHICAGO, IL 60604

FLINTKOTE COMPANY
C/O CORPORATION TRUST COMPANY
1209 N. ORANGE STREET
WILMINGTON DE 19801

GARLOCK INC
C/O C T CORPORATION SYSTEM
208 S LASALLE ST STE 814
CHICAGO IL 60604-1135

GENERAL ELECTRIC COMPANY
C/O C T CORPORATION SYSTEM
1209 N. ORANGE STREET
WILMINGTON DE 19801

METROPOLITAN LIFE INSURANCE CO
1 MADISON AVE
NEW YORK NY 10010-3690

MOBILE OIL CORP.
PRENTICE HALL CORPORATION
1201 HAYS STREET, SUITE 105
TALLAHASSEE, FL 32301

RAPID AMERICAN CORP.
PRENTICE HALL CORPORATION SYSTEM
1013 CENTER RD.
WILMINGTON, DE 19805

TEXACO INC.
PRENTICE HALL CORPORATION SYSTEM
1013 CENTER RD.
WILMINGTON, DE 19805

VIACOM, INC.
C/O CT CORPORATION SYSTEMS
1515 BROADWAY
NEW YORK, NY 10036

JS 44 (Rev. 3/99)

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purposes of initiating the civil docket sheet.

I. (a) PLAINTIFFS

Mary Julia Norberg, individually and as Special Administrator for the estate of Earl R. Norberg

(b) County of Residence of First Listed Plaintiff
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)
Cascino Vaughan Law Offices, Ltd.
220 South Ashland Avenue
Chicago Illinois 60607
(312) 944-0600 - (312) 944-1870 (fax)

DEFENDANTS

A.B.B. INC., et al

DOCKETED

County of Residence of First Listed Defendant APR 24 2002
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorney's of Known

JUDGE GETTLEMAN

MAGISTRATE JUDGE KEYS

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
☐ 2 U.S. Government Defendant
☐ 3 Federal Question (U.S. Government Not a Party)
☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State ☒ 1 ☐ 1 Incorporated or Principal Place of Business In This State ☐ 4 ☐ 4
Citizen of Another State ☐ 2 ☒ 2 Incorporated and Principal Place of Business In Another State ☐ 5 ☐ 5
Citizen or Subject of a Foreign Country ☐ 3 ☐ 3 Foreign-Nation ☐ 6 ☐ 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 890 Other Statutory Actions
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 Habeas Corpus: General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609

V. ORIGIN

(PLACE AN "X" IN ONE BOX ONLY)

- X 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

28 USC § 1332

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$ Over \$75,000

CHECK YES only if demanded in complaint:
JURY DEMAND: Yes ☐ No ☐

VIII. RELATED CASE(S) IF ANY (See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DOCKETED
APR 24 2002

Mary Julia Norberg, individually and as Special Administrator
for the estate of Earl R. Norberg

Plaintiffs,

v.

A.B.B. INC., et al.

Defendants.

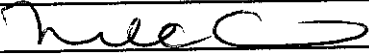
CASE NO.

02C 294 8

JUDGE GETTLEMAN

MAGISTRATE JUDGE KEYS

Appearances are hereby filed by the undersigned as attorney of record for:
Mary Julia Norberg, individually and as Special Administrator for the estate of Earl R. Norberg

(A)	(B)
SIGNATURE: 	SIGNATURE:
NAME: Michael P. Cascino	NAME:
FIRM: Cascino Vaughan Law Offices, Ltd. 220 South Ashland Ave. Chicago Illinois 60607 (312) 944-0600	FIRM: Cascino Vaughan Law Offices, Ltd. 220 South Ashland Ave. Chicago Illinois 60607 (312) 944-0600
IDENTIFICATION NUMBER: 3124122	IDENTIFICATION NUMBER:
MEMBER OF TRIAL BAR: YES [X] NO []	MEMBER OF TRIAL BAR: YES [] NO []
TRIAL ATTORNEY: YES [X] NO []	TRIAL ATTORNEY: YES [] NO []
(C)	(D)
SIGNATURE:	SIGNATURE:
NAME:	NAME:
FIRM: Cascino Vaughan Law Offices, Ltd. 220 South Ashland Ave. Chicago Illinois 60607 (312) 944-0600	FIRM: Cascino Vaughan Law Offices, Ltd. 220 South Ashland Ave. Chicago Illinois 60607 (312) 944-0600
IDENTIFICATION NUMBER:	IDENTIFICATION NUMBER:
MEMBER OF TRIAL BAR: YES [] NO []	MEMBER OF TRIAL BAR: YES [] NO []
TRIAL ATTORNEY: YES [] NO []	TRIAL ATTORNEY: YES [] NO []